THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9284 of 2007

Dated: 30-04-2007

Between:

Thotakura Bikshapathi and another.

..... PETITIONERS

AND

The Assistant Director, Survey and Land Records, Ranga Reddy.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9284 of 2007

ORDER:

The petitioners claim to be the owners of land Acs.17.00 in survey Nos.172, 254, 255 and 256 situated at Keesara Village and Mandal, Ranga Reddy District, having purchased the same under registered sale deeds dated 24.05.2002. They allege that they have been in possession and enjoyment of the land since the date of purchase and also obtained pattadar passbooks and title deeds in their favour. Apprehending that due to hike in prices of lands in said survey numbers, their land might be encroached by third parties, they made an application 23.01.2007 to the respondent for survey and demarcation of their land, in vain. Aggrieved by the same, instant writ petition is filed seeking such direction.

After hearing the learned counsel for the petitioners and the learned Assistant Government

Pleader for Revenue and perusing the affidavit accompanying the writ petition, this Court is of the considered opinion that inaction on the part of the respondent, if any, in not taking up survey cannot be treated as arbitrary or capricious. Admittedly the petitioners approached the respondent only on 23.01.2007. Therefore, applying the ratio in **Mir Fazle Ali Nasiri v. State of A.P. and others**[1] this Court is not inclined to entertain the writ petition at present. The petitioners may pursue the matter with the respondent.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

30th April, 2007
ghn

[1] 2007(2) ALD 3